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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/575,858	05/19/2000	Yoshinori Shimizu	450100-02472	1668
20999 7590 06/12/2008 FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151				
EXAMINER				
VENT, JAMIE J				
ART UNIT		PAPER NUMBER		
2621				
MAIL DATE		DELIVERY MODE		
06/12/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed May 15, 2008 have been fully considered but they are not persuasive. On pages 9-11 applicant argues that Schaffer et al in view of Toriumi et al in further view of Kikuchi et al fails to disclose, suggest, or teach the following limitation "wherein the index pictures generated from the contents data represent a plurality of markers of a program and user generated comments associated with each of the plurality of markers" as recited in Claim 1. It is noted Schaffer et al describes the programs being marked through comments of "like" and "dislike" from the user (Column 4 Lines 22-37. As stated by Schaffer the index pictures that are presented via the EPG provides a marking system that determines the program features to the user. It is further noted by the examiner that if the claim incorporated the information presented in the specification regarding the marking program and comments associated with the index picture (Page 27) would overcome the prior art of record; however, the current claim language does not reflect the detailed marking of index pictures as described in the specification. Although, examiner understands the applicants points the examiner can not agree.